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Hastings Law News

San Francisco, California

November 24, 1992

Volume 26, Number 4

New Firm Picked For West Block

By Margo L. Buckles
Editor in Chief

Hastings may have a "pre-development consultant" before the year is out. In a special Nov. 3 board meeting, Bechtel Park Tower (BPT) representatives Bill Bodrug and Mark Simpson pitched BPT's qualifications, and Hastings entered into pre-development contract negotiations with Bechtel Park Tower. Board chair John Sproul said the board hopes to review the contract at its next regular meeting on Dec. 4.

Under the agreement, BPT would work with the administration, students and Tenderloin residents to develop a plan for Hastings' West Block property. In September, Hastings appeared ready to enter into such a pre-development agreement with Lincoln Property Co., another large developer. During the summer, however, Lincoln went and pulled out of the project before the contract was signed.

Ed Levine, director of facilities planning and management, said he then called together a board advisory panel to plan the next move. Instead of contacting the Hastings' second or third choice for developer, Levine said he and the committee decided to return to their "long list" of prospective developers. Levine said the committee wanted a prestigious, financially stable company to take

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Ex-Dean Prunty Joins UC's Early Retirees

By Martha Bridgeman
New Editor
and Dafna Levi
Staff Writer

Former Hastings Dean Bert Prunty is one of eight Hastings faculty and staff members who accepted a UC-wide early retirement offer this November.

Another faculty member, Prof. Ray Henson, will retire as well. Henson is a national expert on the Uniform Commercial Code. He taught Sales and Commercial Paper



PHOTO BY MARGO L. BUCKLES
HPILF's first annual auction raised \$8,000 that will help fund summer public interest programs. Story on Page 5.

Kenyon Expelled From Hastings Hearing Officers Set Conditions For Third-Year's Return

By David Rapallo
Staff Writer

Third-year student Eddie Kenyon was expelled from Hastings two weeks ago for sexual harassment, examination misconduct, reckless operation of his wheelchair and a number of other charges. His expulsion will be suspended until he finishes final examinations this semester. He may be allowed to return for the 1993-94 academic year if he meets certain conditions, including submitting to a psychological exam. The expulsion came as a result of an ongoing conflict between Kenyon and the college. The clash culminated in a disciplinary hearing which took place during late September and early October. Kenyon claims that the charges constitute discrimination against his disability, cerebral palsy.

The hearing officers, Jerome

B. Falk, Jr. and Francis O. Spalding, were retained from outside the college. They handed down a 41-page decision on Nov. 9. The main 30-page decision was signed by Falk. Spalding added an 11-page concurrence. Falk's ruling declared Kenyon was "virtually impervious to the substantial efforts of the Hastings administration...to dissuade him from improper approaches and excessively personal remarks to other students and staff" and that his behavior "reflects an unfortunate inability to evaluate issues raised by his own behavior..."

The officers found that Kenyon sexually harassed several employees of the school, including a Student Services employee,

By Margo L. Buckles
Editor in Chief

Brace yourselves, folks. Tuition is heading up again, and nobody knows how far. All we know so far is that the UC Regents voted Nov. 20 to increase student fees by \$605 next year, and law students will have to pay a \$1,000 surcharge on top of that increase, based on the assumption that these students will move into lucrative positions after graduation.

The \$605 fee increase may even rise another \$100 if state agencies' bleak economic predictions are true. Hastings Chief Financial Officer Joan Majerus said that the State Department of Finance has indicated

Rodney King Visits Hastings Campus

By Robin Brewer
Staff Writer
and Martha Bridgeman
News Editor

Police beating victim Rodney King and his lawyer, Milton Grimes, spoke at Hastings Nov. 16 in an invitation-only forum for members and guests of the Black Law Students' Association.

King and Grimes, a Hastings alumnus, were in town to address

the Charles Houston Bar Association and attend the opening of Spike Lee's historical film, "Malcolm X." They came to Hastings at the invitation of Kym Goodrum, a first-year student who previously worked for Grimes as an intern.

Grimes spoke for most of the forum, and King himself said little. Grimes asked that King not be quoted for this article.

BLSA president Jayson Taylor said Grimes asked the students to avoid advance publicity because he did not want King overwhelmed by a crowd. King appeared shy and uncomfortable in front of the small audience in Room H.

King was a victim of police racism long before a witness videotaped his beating by Los Angeles police on March 3, 1991, Grimes said. He said King's felony conviction, much discussed in the wake of his beating, was based on an argument with a storekeeper who would not accept food stamps for cola and cookies. Grimes said King was accused of assault because he threw a cupcake during the argument, after the storekeeper attacked him. King served 16 months.

Since the famed beating, Grimes said King has seen three separate attempts by Los Angeles

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Up, Up And Away: Tuition Rises Again

that state funds to Hastings may be cut by 15 to 20 percent.

The UC Regents voted for higher fees than those called for by UC President Jack Pellason's plan, released Nov. 14, which would have raised fees by \$550. This move follows similar increases over the past three years. Since 1991, Hastings' Board of Directors must increase fees to track other University of California law schools increases pursuant to California Education Code §66158(d).

The board must approve the increase. Because the agenda for the Dec. 4 board meeting was due Nov. 20, Majerus said that the board will probably discuss and approve any fee increases at the

March board meeting. Some information for this article is from the San Jose Mercury News and the San Francisco Chronicle.

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Eight Retire Early

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sations of financial wrongdoing. He has since taught in his specialty of corporations law. He was on medical leave this fall.

Academic Dean Mary Kay Kane said Prunty's departure represented a loss to the college of a senior faculty member.

"He wasn't a larger or smaller participant in... faculty evaluation of what goes on, than any other faculty member," Kane said.

In the summer of 1987, Hastings' Board of Directors fired Prunty, then resigned the action and accepted his resignation.

The controversy leading to his departure began when an accountant discovered that Prunty's predecessor, Dean Marvin Anderson, had spent \$2.8 million from student scholarship funds to purchase real estate: the property now known as the West Block. Hastings later paid the money back, under court order, to students who might have received the scholarships.

In the weeks before Prunty was forced out, board members separately accused the dean of creating and spending a discretionary fund of about \$250,000 in college funds that had been intended for other purposes. The funds allegedly in-

cluded money that had been donated to help establish a graduate program in tax law. Prunty's alleged expenditures from the fund included Bohemian Club membership fees, travel and entertainment expenses, and a no-interest loan to a college employee.

"There's a lot of dispute about what the issue was" in Prunty's firing, said Kane.

At the time of the resignation, the *Law News* reported Prunty had disagreed with board members and then-General Counsel Max Jamison on how to handle the discovery of the misapplied scholarship funds. The paper reported that some board members believed Prunty had become a scapegoat for others involved in that episode.

The early retirement plan was designed to cut the UC payroll or to replace senior employees with lower-paid junior ones. Retirees received five years of service credit plus several months' full pay.

The other staff members retiring are: Pol Lango of Mail Services, after 17 years of service; Gary Steneman of Purchasing, after 18 years; Dorothy Mackay Collins of the Legal Information Center; and Peg MacDonald of Faculty Support, after 12 years.

Planning Committee Rethinks the 65 Club

A Hastings planning committee is considering ways to open up the "65 Club" to younger distinguished scholars, in part because age discrimination bans have ended the once-common practice of forcing professors to retire at age 65.

"Our recruitment of 65 Clubbers has been very difficult," said Prof. Stephen Schwarz, chair of Hastings' Long-Range Planning and Library Committee. He said his student-faculty committee is considering ways to maintain the tradition of a distinguished senior faculty, while scrapping or lowering the age requirement.

"Maybe there are some people like that who are in their 50s," Schwarz said. "We have to change something or other. It just can't continue as it has been, today," he said.

The committee plans to make a recommendation in time for discussion at a faculty retreat this April.

It is considering the subject as part of the "Hastings 2000" long-range planning project.

The committee consists of Academic Dean Mary Kay Kane, 65 Club member Louis B. Schwartz, Prof. Stephen Schwarz, Prof. Evan Lee, and students Yolanda Tate and Mike Schmitz.

The 65 Club was founded at a time when most other law schools had mandatory retirement age rules. Regardless of their prestige or vigor, professors found themselves unemployed at age 65 or 70. Hastings offered them a rare chance to continue their scholarly careers while earning salaries instead of pensions.

Now, age discrimination is illegal, and older professors at other schools are keeping their jobs until they retire by their own choice. At the same time, Schwarz said the Bay Area's high housing costs have made it financially difficult for a

professor from another part of the country to take a job at Hastings.

Hastings' self-study report, assembled last year to prepare for an accreditation visit, even suggested it might constitute age discrimination to reserve professorships for scholars over age 65.

Ten of the 11 professorships reserved for 65 Club members are now filled.

Schwarz said any changes would not affect current members. One proposal would convert the 65 Club slots into a combination of endowed chairs and "supergrade" professorships with perks such as research funds.

Another change in the hiring criteria for supergrade professors might be a "diversity" requirement.

In fact, Schmitz said the school ought to either require diversity among new 65 Club members or stop recruiting them entirely.

Legal Writing Directors 'Trade Careers'

By Martha Bridgman
News Editor

"Well, the grass is always greener..."

Melissa Johnson, the outgoing director of Legal Writing and Research at Moot Court, is return-

ing to criminal defense work as a solo practitioner.

Toni Young is leaving her solo personal injury and family law practice to take Johnson's job as director of Moot Court and Legal Writing and Research.

Judging from their infectious cheerfulness during an interview, both are eager for the switch.

"I've just been doing the same thing for over five years, so I'm ready for a change," Johnson said.

A former staff attorney with the California Appellate Project, which handles death penalty appeals, Johnson says she will continue representing a *Death Row* client whose case she handled while teaching at Hastings. She said she expected to take other murder cases as well.

During her tenure, Johnson transformed Moot Court from a stigmatized second-year alternative to the law journals, to a campus-wide program for first-year students. Johnson brought in lawyers to teach the Moot Court classes, which had previously been led by students alone. She also introduced an Advanced Appellate Advocacy course.

"I was my personal favorite for the job," Johnson said. Young said Johnson even talked her into applying, when she thought she might not have enough administrative experience to qualify.

The hiring committee that picked Young consisted of Deans Mary Kay Kane and H.G. Prince.

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Breast Cancer Called 'Disease of Denial'

By Michele Simon
Staff Writer

One in nine women will develop breast cancer at some time in her life; 180,000 women will be diagnosed with breast cancer in 1992; 46,000 women will die of breast cancer in 1992. And yet, speakers at a Nov. 11 forum said breast cancer remains a "disease of denial."

The discussion, co-sponsored by the Clara Foltz Feminist Association and the Women's Law Journal, featured Marilyn McGregor and Nancy Evans, both from Breast Cancer Action; Kate Scully of UCSF; and Eileen Blumenthal of the Bar Association of San Francisco.

Scully said women should check their breasts for lumps regularly, since many women have discovered cancers that way, before seeing a doctor. She said all women over age 20 should have annual physical exams, and some high-risk women might want to have exams more often. She said all women should have a "baseline" mammogram done between the ages of 35 and 40, and if there is a family history of breast cancer, the first mammography might be done before 35.

Scully said possible—but dismissed—risk factors for breast

cancer include high-fat diets, being overweight, and using oral contraceptives. She said the National Institutes of Health, under the direction of Bernadine Healy, have begun a large-scale study on women's health in general, which should provide more information by the end of the decade.

Nancy Evans of Breast Cancer Action (BCA), said her group learned from AIDS activists that political action can make a difference in medical treatment by getting public attention and demanding increased research funding. Now about 2,000 members strong, BCA was formed two years ago by women with breast cancer who were angry with public inattention to the disease.

Evans called breast cancer the "disease of denial," because every woman fears the disease but denies it can happen to her. Further, she said, doctors deny the possibility of breast cancer, especially in young women, because of a false perception that it strikes only after menopause. Only half the women with breast cancer are over 50, she said. Finally, she said the health care system denies screening, detection, and follow-up to the millions of women without health insurance.

Evans said one goal of research should be a better test for

breast cancer, possibly similar to a blood test recently developed for prostate cancer. She noted that mammograms are dangerous and can be painful.

Evans said that for the last 20 years, the same methods of surgery, radiation and chemotherapy have been employed, and although 70 percent of women are candidates for lumpectomy or radiation treatment, only 30 percent get it, because many doctors still think it is better to remove the entire breast.

BCA, Evans said, is "out to change the system" by pushing for legislation to increase research funding. She said she hoped the new administration would be more responsive, especially because Bill Clinton's mother has breast cancer.

Blumenthal, a 1987 graduate of Hastings, encouraged students to become activists in the area. She said the SF bar association's breast cancer committee works in three areas: educational programs, legislation, and litigation. The Bar is also involved with recruiting, training and supervision attorneys to work in this area. She called breast cancer an opening legal field, "the next AIDS front."

some faculty, and the student chair of the Moot Court Board.

Like Johnson, who kept at least one appellate case during her whole time at Hastings, Young does not plan to abandon the outside world. She said she would continue serving as a judge pro tem in the superior and municipal courts. Pro tems are experienced lawyers who serve as judges in areas such as small claims court appeals and settlement conferences.

"Since Moot Court and legal writing are practical courses," Young said she wants to keep up with current practice.

Young said she does not plan to alter either first-year program right away—"I'm not going to change what's not broken"—but she has put her four children to work doing manual a suggestion box. "I will read it religiously," she promised.

A 1976 Hastings graduate, Young has taught either Moot Court or Legal Writing and Research for the last seven years.

Young entered Hastings as a member of the school's first class with a significant percentage of women and minority students. "It was a male-dominated world until we came along and shook the place to the rafters," she said. She said she and her classmates began by arguing, successfully, that the 198 Building needed more than two women's bathrooms.

Young claims credit for founding the *satirical Law Revue*. She also wrote for the *Law News* and graduated as both president and valedictorian of her class.

Young worked three years at Graham and James before joining a small plaintiff's firm. She started her solo practice a few years later.

Hastings Students To Go To Leiden

By John Z. Holtzricher
COLUMBIA EDITOR

After more than four years of planning, negotiation and waiting, Hastings' student exchange program with the University of Leiden in the Netherlands will be fully operational in January.

Five or six students from Hastings will be the "pioneers" on the Hastings side of a student exchange, which has seen five Leiden students attend Hastings each semester for the past two and a half years.

All that prevented Hastings'

student exchange with Leiden from beginning this fall was the college's failure to secure a place on the ABA accreditation committee's June meeting agenda.

The program was finally approved earlier this month, just in time for the spring semester. According to Hastings Dean Frank T. Read, four law schools submitted proposals for prior approval, three of which were successful.

Read said the key to Hastings' success was a history of ongoing faculty and student contact between the college and the University of Leiden.



An "agreement in principle" with Leiden regarding the student component of the exchange has been in existence for some time; all that remains is the formal signing of the document by each school's dean.

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Rodney King Comes to Hastings

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to Leiden to discredit him. None resulted in criminal charges.

In the first, King granted a woman's request for a ride, only to discover that "she" was a vice squad officer masquerading as a transvestite prostitute. Another day, King was waiting for his wife in a restaurant parking lot, and he drove their car long enough to pull out of the way of another driver in the lot. City police stopped him on suspicion of "drunken driving," gave him several sobriety tests—which he passed—and then told him to put his hands on his head and count. They handcuffed him and took him to the station. He found himself surrounded by police, one of whom started an argument about the March incident while another questioned him about his conduct in the parking lot. Addressing a denial to the first officer, King was accused by the second officer of refusing to cooperate with a sobriety test. He lost his driver's license as a result.

Most recently, King began throwing shirts on the floor during an argument with his wife, and she called the police. They came, with helicopters and cruisers, and surrounded the building. His wife refused to say King had done anything other than throw clothes on the floor.

Grimes said he and King hoped to bring out more evidence that the Los Angeles police department is "racist from the top down." Grimes said he felt frustrated because the court would not allow him to use hundreds of feet of taped police radio conversations in which officers used racist terminology in their daily communications.

Asked how he might have handled the prosecution of the four white police officers who beat King, Grimes said he would have put King on the witness stand. Although King might have lost some credibility because of his prior felony conviction, Grimes said King's own testimony

could have personalized his injuries for the jury.

King tried to hire Grimes for the original case, but he could not reach him. Later on, Grimes agreed to represent him later on if necessary. At the time, Grimes said neither expected that the officers would be acquitted after a jury viewed the videotape of King's beating.

Two cases are now pending: a second prosecution of the officers on civil rights violation charges, and King's own suit against the City of Los Angeles.

Discussing other episodes in his career, Grimes said he got a valuable education at Hastings although he did not enjoy it at the time. A 1973 graduate, he said he served as president of a militant BLSA that at one point shut down the school for a week with a strike for more diverse faculty.

On leaving Hastings, Grimes became the first black attorney in Orange County, where he still practices.

Seeking Solutions to Police Brutality

By Margo L. Buckles
EDITOR IN CHIEF

Attorneys and reformers painted a dismal picture of police brutality Nov. 4, in a three-hour conference co-sponsored by the Black Law Students Association, the Hastings Law Journal, and the Academic Dean's office. Forum speakers discussed the problem, including last year's videotaped beating of Rodney King, and offered possible solutions.

Speakers included Thomas Steel, of Steel, Clarence & Buckley; Trina Thompson, a lawyer in a private felony criminal law practice; Terry White, the Los Angeles deputy district attorney in charge of the trial of the police officers accused of beating King; John Crew, staff attorney at the ACLU of Northern California and

director of the ACLU Police Practices Project; Christopher Darden, a Los Angeles deputy district attorney and co-worker of White's; John Burris, an Oakland attorney who specializes in police misconduct civil litigation; Earl Saunders, a police officer in the San Francisco Police Department who has worked for years on department reform; and Eva Peterson, executive director of the San Francisco Lawyers' Committee for Urban Affairs.

The panelists started by attempting to define the problem of police brutality, mostly through examples encountered during the years they had worked on the issue. "Speaking from my 17 years of experience of litigating," said Steel, "it is the less powerful people who are beaten—minorities and the homeless—the people

perceived as outside the protection of society." Steel added that the only time a criminal civil rights violation charge has been filed in the Northern District of California was last year, against eight Oakland Housing Authority officers. Seven of the eight officers were black.

Thompson said minorities are usually the victims of brutality because of institutionalized racism in the departments. She told the story of a San Jose firefighter who was beaten by police officers who responded to a call regarding a Latino man on PCP at an apartment building in a "less desirable part of town." The firefighter was African American, and, Thompson said, one of the few people with the resources and support to follow up on a complaint against

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NEWS BRIEFS

COMPILED BY THE HASTINGS LAW NEWS STAFF

West Block Tenants Win Rent Cut

A second group of Hastings tenants has won a rent reduction based on the college's decision to withdraw security patrols from their apartment buildings on the West Block last year.

The first group of 16 tenants took their complaint to the Rent Board last winter. In April, they won refunds of \$210 apiece in back rent, plus permanent rent reductions of \$15 apiece.

Fourteen members of the second group settled with Hastings for the same rent reductions and refunds the first group got. According to the tenants, the college refused to extend the settlement to two other members of the group because their rent levels are governed by a past settlement with Hastings that guarantees them low-rent housing for life.

Hastings' position on the security question is that when it withdrew the officers from the buildings, it provided security gates to replace them. The tenants say they felt safer when the officers were physically in their buildings. The officers had refused to work in the buildings unless they were armed and trained for dangerous duties such as interfering in domestic disputes.

In-House Clinical Staff Complete

The finances and staff are finally in order for next spring's in-house civil clinical program, but its director, Prof. Mark Aaronson, is still working to make sure the office and caseload are ready in time.

Hastings' Board of Directors approved spending \$181,500 on renovations for the office at its special Nov. 3 meeting. The money will go to construct a self-contained legal aid office on the third floor of McAllister Tower. Plans call for a 5,534-square-foot layout, featuring six offices, four deposition rooms, a seminar room, lunch room, library, supply room, bathrooms, and 17 student desks.

Hastings will pay for the renovations out of its McAllister Tower West Block Improvement Fund, and the clinical office, which is supported by its own state grant, will reimburse the college over time by paying rent.

Aaronson has also hired two staff attorneys to supervise the 20 students who will work in the office for clinical credit. He said he chose the two from about 200 applicants, whom he described as exceptionally qualified.

Antonio Pionelli, former director of the East Palo Alto Legal Assistance Clinic, has already started work for Aaronson. A 1985 Stanford Law School graduate, Pionelli worked for Fresno-Marced Legal Services before returning to the East Palo Alto clinic, which is affiliated with Stanford.

Myo Gotsli, of Contra Costa Legal Services and Marin County Legal Aid, starts work December 1. Aaronson said he has served as acting director of the Marin County office, and has taught continuing education courses for the legal aid college of advocacy, the Berkeley Institute. Most recently, he said he has co-taught a course on housing law at Boalt Hall. He serves on the State Bar's Standing Committee on Legal Services to the Poor.

Gotsli is a 1981 graduate of Western State University College of Law.

Both law-feyers have a special interest in housing law, but Aaronson said that at least for the first semester of the program, he would stick to the clinical's planned diets of social security disability appeals, unemployment appeals, de novo appeals on wage claims, and possibly some bankruptcy cases.

"I was hiring people who I thought were very versatile and could handle other things," Aaronson said.

CLQ Plans Panel On Brown Legacy

Hastings Constitutional Law Quarterly is sponsoring a panel on "The Legacy of Brown v. Board of Education," on Sat., Jan. 9 from 2 p.m. to 4 p.m. The panel discussion will take place in the Alumni Reception Center and will be followed by a reception. Prof. David Levine will moderate the panel. All students, faculty and staff are encouraged to attend. For more information, please contact Rob Rich at CLQ's office or call 565-4726.

Hastings' First Overseas Program

Continued from page 3

In addition to the handful of Hastings students who will be enrolled at Leiden in the Spring, Professor David Levine is scheduled to begin teaching there as Hastings' faculty member in residence this March.

With the Leiden exchange nearing its fruition, and blossoming relationships with other foreign law schools throughout the world, Hastings is on the forefront of the international legal education scene. Hastings' emergence as one of the few American law schools with solid international ties can be traced to Read's efforts.

Read has been involved with fostering student and faculty exchanges between U.S. and foreign law schools since his days as dean of the University of Florida's College of Law. Florida had a successful reciprocal student exchange for years before the ABA, which regulates the curriculum of "approved"

U.S. law schools, became concerned that allegedly "undergraduate" credits earned at foreign universities were being applied to "graduate" law degrees in this country.

When the ABA shut the door on foreign student exchanges, several prominent law school deans, including Read, began to lobby the ABA's accreditation committee for rule changes that would allow



properly structured and supervised exchanges to be reinstated.

When he became Hastings' dean, one of the deficiencies Read noted was that the college had not capital-

ized on its location in one of the world's premier cities. He reasoned that it wouldn't be difficult to attract international academic attention to San Francisco, already an extremely popular tourist destination.

The process of change took longer than Read expected, but he believes that student exchanges were worth the wait. They are both beneficial to the participating students and are a cost-effective means of enhancing the entire school's reputation.

Exchanges of faculty and students are popular among participants because they get to travel and experience day to day living as residents in other cultures.

But administrators like exchanges for another reason as well. In these days of recurring budget crises, student and faculty exchanges are less expensive to operate than other methods of enhancing an institution's reputation, such as sponsoring academic symposia.

Notes from the Basement

JAG Corps: A Question of Justice

By Phil Ginsburg
ASH PRESIDENT

On Dec. 4, ASH will again ask the Hastings Board of Directors to prohibit the Judge Advocate General Corps (JAG Corps) from recruiting on campus as long as the military continues to discriminate on the basis of sexual orientation. We are asking the board to reconsider a resolution it previously voted not to adopt in June.

In light of recent legal and political developments, the military's long standing policy of discriminating against gays and lesbians seems at last to be collapsing upon itself. Implementing a ban on such discrimination will be difficult. Winning acceptance of the ban within the military and in much of our society will be even tougher. Yet whether change is ordered by the president, by Congress or by the courts, it appears inevitable.

If the policy change is indeed inevitable, why bother bringing it back before the board? Why, because it is simply the right thing to do. This institution has an obligation to its students—present, past and future—to make an unequivocal statement against discrimination. If there is no place for idealism at an institution of higher learning, where can we

turn? If a law school will not stand up to protect notions of equality, fairness and human dignity, how can it expect the law-yeers it cultivates to champion such causes? It is unacceptable for Hastings to condone discrimination, and irresponsible to sit and watch as others speak out for change.

To our student community, may I suggest that regardless of the board's decision, there is much to be gained. Too frequently we dwell upon what divides us instead of what brings us together. Our struggle to understand our differences is real and must not be sugar coated. However, with particular intensity over the last twelve months, we have united on behalf of gay and lesbian students and on behalf of the kind of society in which we want to live. White men and women, people of color, Native Americans, heterosexuals and homosexuals have all contributed significantly to this cause.

To the many members of the faculty, administration, staff and alumni who have joined us, thank you for your contribution. You have given strength and breath to our efforts. You have turned a student issue into a Hastings issue.

To Dean Read, I offer special appreciation. Students have questioned your commitment to

our concerns. However, on this issue, every student at Hastings should know you have granted your unconditional support. At the June board meeting, you advocated on our behalf with genuine conviction. In our efforts since, you have offered insight and enthusiasm.

Finally, to the Board of Directors, the ultimate responsibility for determining how history will record Hastings' contribution to this particular battle for social justice now rests with you. Again, on behalf of the student community I wish to express my gratitude to the directors who have spoken for change. To those directors whose views are the product of a different era, I can only respectfully suggest you listen to and understand the will of a different generation. You have graciously dedicated your time and energy to an institution with a mission to teach its students to consider and evaluate all perspectives before forging ahead with a course of action. Unless one changes a viewpoint merely for political or pecuniary gain, it is not wrong to do so, it is courageous.

Present before you on Dec. 4 is a marvelous opportunity. It is an opportunity to make the most important constituency you serve proud of the law school we have chosen to attend.

Chase Disrupts Beach

By Rick Wilson
STAFF WRITER

On A, B, and C chase period D into a law school campus brandishing weapons, what crimes have been committed? Discuss.

While students watched, two or three men armed with knives chased another man onto the Beach around 3 p.m. Nov. 11. Hastings officers speculated that the fight started in a failed drug deal in nearby U.N. Plaza. Although they arrested three men, security chief John Oheim said there was little Hastings could charge them with, and none of the combatants pressed charges.

Hastings security officers arrested two of the men quickly. Oheim said, "A third man dropped his knife and entered the building. He tried to mingle with the crowd and get away." Oheim said a possible fourth suspect

armed with a gun may have escaped.

Oheim said that a few people with guns turn up on or near the campus several times a year. "It's not that unusual. We get them all the time," he said.

The three men were imprisoned briefly in Hastings' new holding cell until San Francisco police arrived. Oheim said charges will not necessarily be filed. "It was consensual combat, and these guys are not going to charge each other." However, he said the city police planned to check for outstanding warrants.

In a separate incident the next day, another man with a gun ran onto the Beach, seeking refuge from city police officers in pursuit. He tried to get into the 198 Building, but the doors had been locked for the night and the police coerced him.

Hastings Security Blotter

The following crime information was provided by Hastings Security. The information was edited by Hastings Law News staff.

Oct. 10, 5 p.m., Officer Warner: "Employee reported the theft of a half bottle of wine from the Dean's refrigerator. She said she put it in at 17:00 hrs. on 10/10/92. When she returned at 8:00 hrs. on 10/22/92, it was missing."

Oct. 20, 5:50 p.m., Officer Santago: "Officers responded to a verbal dispute between 3 males, possibly a drug deal gone bad. One subject was brandishing a knife. The subjects dispersed when the officers arrived. The officers pursued the subject with the knife but lost him in U.N. Plaza."

Oct. 21, 6:52 p.m., Officer Santago: "While getting into the van one student slammed the door on the hand of another student. No apparent serious injury was sustained. Student declined medical attention and stated that she go to health services the next morning."

Oct. 26, 7:30 p.m., Officer Norman: "Student reported that he left his red Nissan mountain bicycle locked in the bike rack of the 198 patio. Student returned at 19:30 hrs. to find the bike gone and the cable and cut master lock on the ground. Total loss: \$390."

Oct. 27, 8:10 a.m., Officer Hardy: "Officer responded to a report of a theft in progress. They found that suspect Lawrence Kolb entered building through front door and removed a

painting from the wall and fan. Suspect was pursued and arrested in U.N. Plaza. N. Rockwell print recovered."

Oct. 27, 2:45 p.m., Officer Hardy: "Officer responded to a report of a person soliciting students on the front patio. Officer found Douglas, Samuel (N) [non-affiliated] selling a stereograph machine. Subject escorted off campus. Later information warrant search revealed dangerous felony drug warrant."

Oct. 27, 5:23 p.m., Officer Santago: "Officer assisted library police in detaining (non-affiliated) who upon information from the SF DA had a felony sex crimes warrant. A SF warrant check revealed that the warrant had not yet been issued. He has been detained for sex crimes at Hastings."

Oct. 27, 9:25 p.m., Officer Santago: "Employee reported two subjects smoking 'craw' cocaine in the exterior of the stairwell. Officers responded, but the subjects were gone on their arrival."

Oct. 28, 8:36 p.m., Officer Katerbury: "Officers responded to a report of a WMA [white male adult] that did not belong in class. On arrival officer found Eddie Novos (N), trespassing in the class. Subject was warned of 626.6 P.C. and 602(1) P.C. and escorted out of class."

Oct. 28, 2:00 p.m., Officer Katerbury: "Student reported her wallet stolen on 10/28/92 between 9:30 and 10:00 hrs. on the 6th floor of the library. She said she left it using

Continued on Page 10

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Kenyon Expelled, Suit Still Pending

Continued from Page 1

fall within the proscriptions of Hastings' sexual harassment policy—nor did Kenyon's inclusive greeting of Patsy Oppenheim, director of student services, as "darling."

Kenyon was also found guilty of examination misconduct on three counts. The first involved an incident in which Kenyon approached another student about a Criminal Law examination he had postponed due to illness. Although Kenyon asked only general questions such as "How was the exam?" the other student, Joanne Tan, testified that he seemed to be asking her for information. She said she told Kenyon to study "larceny and conspiracy." This conduct was "inappropriate and a clear violation of the rules," Falk wrote, especially since Kenyon had testified that he had not learned anything about the exam's contents. No administrative action was taken against Tan.

The second incident involved an attempt by Kenyon to avoid taking a Professional Responsibility exam because of what he viewed as an attempt to have him psychologically evaluated. The transcriptionist, who was hired for him by the administration had been trained in special education, and there had been some quarreling between Hastings and Kenyon about a previous attempt to have him undergo an evaluation. Although the hearing officers did not find that Kenyon cheated by delaying the exam, they did say Kenyon's rejection of a second transcriptionist was a violation of Section 52 of the Student Conduct Code, which prohibits "obstruction or disruption of...administration...or other College activities."

The third exam misconduct charge was that Kenyon brought notes into a Constitutional Law final being administered in his private study space. Although the evidence of indiscretions to the notes "in conflict and inconclusive," Falk's opinion did find that the act of bringing the notes into the room and asking the transcriptionist to place them under a telephone, was culpable. Kenyon's position was that the notes were out of his reach.

Among other charges sustained against Kenyon were reckless operation of his wheelchair, failure in obeying Hastings officials and a general lack of cooperation. The officers also listed a number of charges alleged by the school which they considered not proven or not of suffi-

cient gravity to rise to a level of violating the Student Conduct Code. Some of those charges include showing sensitive letters around campus, failing to keep appointments, obtaining unauthorized wheelchair repairs, and using staff for unauthorized personal matters. The main opinion said Kenyon should only be allowed to return to school if he meets a number of conditions, including signing a declaration that he is "prepared to complete his studies at Hastings in a manner which fully complies with the Code of Student Conduct." He must also undergo an evaluation by a psychologist chosen by the dean, and meet "such other conditions as the Dean reasonably may require." Falk, held that Kenyon should also submit to a continuing psychological treatment program, but Spalding did not order such a program because of the absence of any professional opinion that Kenyon required or would benefit from it.

Kenyon must also agree to make no sexual advances on campus, and he must refrain from making any sexual comments during the rest of his time at Hastings. Finally, he must not come to his classes late. Breaching any one of these conditions is grounds for expulsion.

Throughout the opinions, the hearing officers emphasized that Hastings' administrators had made every possible accommodation for Kenyon, and that "the College displayed great patience and flexibility until it reached the breaking point." The evidence, Spalding added, established without a doubt that there are "several important lawyerly skills that Mr. Kenyon has not yet even begun to master."

The hearing officers stated that it was a "virtual certainty" that Kenyon would repeat his behavior if allowed to return to Hastings. However, they cited three reasons to keep Kenyon's hope of attaining a law degree alive: his intelligence, his energy and his past personal accomplishments.

Kenyon said he would work during his suspension at the San Francisco Neighborhood Legal Assistance Foundation. He said his employer does not hold the disciplinary action against him.

Kenyon's \$8 million civil suit against the college for discrimination and abridgment of his right to free speech is pending. Kenyon said the parties are now awaiting a decision on a Rule 12(b)(6) motion filed by the school.

HPILF Auction Raises \$8,800

By Erin Williams
STAFF WRITER

The Hastings Public Interest Law Foundation held its first-ever fundraising auction Nov. 5.

Other law schools' public interest groups have held similar auctions, but this was Hastings' first. HPILF's auction chair, Margie Lariviere, said, "We considered it very successful." About 250 students bought 51 tickets for the auction, which had silent and

students working in public interest law over the summer. "We really started in August, but it really started to accelerate in October," said Lariviere. "Finding time for all the people involved to meet was difficult, but we raised money above our expectations." HPILF plans to make the auction an annual tradition.

The evening started with door prizes, refreshments, and a silent auction to the sounds of a jazz band. Section 8. During the silent



PHOTO BY MANOJ L. BUCKLES

Prof. Massey, who learned his auctioneering skills as a child in Walla Walla, WA, worked the crowd for the first annual HPILF auction.

live parties. Dozens of items and services were donated by merchants, Hastings faculty and members of the legal community. HPILF invested about \$500 in the event and raised \$8,800 for the fund which will be used to fund grants for

students. A crowd milled about the bidding tables, where 77 items were offered. The live auction followed, hosted by auctioneers from Hastings' faculty: "Marvel-

ous Massey," "Fantastic Faigman," and "Stupendous Scallen."

At one point, Scallen nearly fell when she unwittingly stepped off the back of the platform, but she hardly paused. She drove the toughest bids and highest prices of the night. Faigman brought up the end of the auction, working the bidders like his on-call students.

Among the more interesting items offered were: A lunch for four, replete with margaritas, on Prof. Leo Martinez's veranda, which brought \$190; bungee jumping for those who don't think finals are exciting enough; a chess challenge with Prof. Robert Hardaway; a mysterious Minnesota-style dinner with Prof. Scallen; a Polish cocktail party with Prof. Julian Jurgenmeyer; and golfing with Prof. Faigman and Prof. Evan Lee for two, at \$120.

It is a mere myth that students are poor? It seemed a number of would-be bidders were dismayed by the strength of the bidding as they were quickly outbid by others with higher budgets. Or was it merely excitement that made students forget their circumstances and bid their own money? At least the money spent will be redistributed to Hastings students in the form of grants.

Hastings Grads Tell How They Ran from the Law

By Margo L. Buckles
EDITOR IN CHIEF

Approximately 40 students showed up for career inspiration from five Hastings alumni at the "Alternatives to Law Practice" panel on Nov. 12 in the Alumni Reception Center.

Professor Leo Martinez, Class of '78, introduced the group, saying he was the "odd man out" because he had a law-related career. Other panelists included John Willis, Class of '77, a San Francisco real estate developer and broker; Jonathan Novak, Class of '79, an art dealer and owner of a Los Angeles art gallery; Keith Belling, Class of '82, a restaurateur and owner of Oh La La, a chain of coffee and pastry shops; and Donna Levin, Class of '79, a published fiction writer.

All the panelists practiced briefly, except for Levin, who decided to law school that she didn't want to be a lawyer. She struggled for several years before her first story was published in the ABA publication, *Student Lawyer*. Willis became disillusioned with the law after a few years and left

law to sell real estate. Novak, who practiced for five years, realized the law wasn't for him after physically suffering from the stress. Belling, who said he loved law school, entered the restaurant business after he was approached by a former client.

All of the panelists felt their law degrees were useful, and none regretted their decisions to attend law school, not even Levin. Willis said the degree gave him more credibility in his chosen career of real estate. "And let's face it," he said, "when you have a law degree, people are afraid of you." Novak and Belling agreed that their law degrees helped them when they moved into another field. "I write the best demand letter in the business," said Novak.

All the panelists urged students to do what they think will make them happy. "I don't think many people think about what they are going to be doing as a lawyer," said Willis. "I didn't really think about whether I would like being cooped up all day reading opinions, and I really didn't think about the fact that I might hate wearing a suit and tie."

OPINION

En Banc

Get Involved Now

So the economy is going to hell. So there aren't many jobs out there. So Mother Hastings does not coddle her young.

Nevertheless, it's worth doing something besides schoolwork around here.

No institution of learning, higher or otherwise, has ever existed merely to pump information from professors' mouths into students' heads.

Every school of every type exists in part for the sort of informal education that never gets in extracurricular activities, whether formal or informal. We, for example, believe that we have learned many lessons in the basement of the 198 Building, including the necessity of questioning authority even when authority seems likely to win.

Like it or not, all students' lives will be affected by the social and political activities of fellow students who do decide to get their noses out of their books. Remember that the academy whets the oil. Although this may be an old adage, it is as true of this place as of anywhere else.

You, too, can be moved and shaken around here. There isn't a hell of a lot of competition.

When tuition went up at San Francisco State, students marched from their campus to Sacramento to demand the affordable education they had been promised. It looks likely that our "fom" will grow, and allegedly affluent law students will have to pay even more than the undergraduates. Could we organize a respectable schlep as far as a Result of Directors meeting?

The Berkeley graduate assistants are on strike for recognition as a union of salaried employees. Students here work as teachers and research assistants but have any of their thoughts of themselves as workers with rights?

If activities isn't your style, there are plenty of activities that just aim to keep the participants' souls from withering in the hot, dry winds blowing from our professors' lecterns. Do something now. If not, one day you will wake up, find that you are a lawyer, and realize that you missed your last chance to be a student in the full meaning of the word.

Happy Holidays

Have you noticed that Thanksgiving is coming? And, a few exams later, Winter Break? Not Oh, that's right, exams are coming up.

Law school distorts everything it touches. Is it not ironic that during the run-up to the holidays we'll all be cramming for exams? Instead of "peace on Earth and goodwill toward men," we have "stress in the library and ill-will toward classmates who study more than I do." In an atmosphere of stiff competition, it's hard to get into the spirit of giving. And, as for summing up that Yuletide cheer? Not until after December 22. Run and egglog, please—but hold the eggs.

Thanksgiving presents a more immediate problem. It's a nice four-day weekend, but who can enjoy it with exams looming? Tip for first-yearers: despite your best intentions, digesting Thanksgiving dinner is the work of a weekend. Don't count on studying much.

At this season, editors of newspapers everywhere have traditionally urged their readership to adopt the proper attitude of thankfulness. No wench anywhere, they say, is so wretched that he or she has no some small thing to be thankful for. Keep this in mind, if you can, while you study for your Tax exam.

Forget, for a moment, that we all have too many exams, covering too much material which is too dull for words. Forget that many of us have no job, no prospect of a job, and no real hope that we ever will find a job. Forget that by the time we wake up after exam period, the holidays will be a fading memory. Forget all of that, and as many editors have said since the invention of Thanksgiving, let us all count our blessings.

Be thankful for your friends, your family, that Special Someone—whichever it is in your life that makes your days more than an empty routine. These people, as Ross Perot would say, are more important than a lifetime of law school. (Lifetime of law school? Perish the thought. It just seems like it.)

Relax and enjoy the holiday. If you are fortunate enough to spend it with your friends and family, even better. Come back, relaxed and bloated, with a clear mind for the last week of classes. There will be plenty of time to worry about exams after Thanksgiving.

Kenyon Harassed Fellow Students

Dear Editor:

I was both shocked and alarmed at the insensitivity and ignorance Janet Frankel demonstrated in her Letter to the Editor in the Oct. 27, 1992, issue of the *Law News*. I was one of the students who was repeatedly harassed by Eddie Kenyon during a significant part of my first year at Hastings. Things got so bad that I had to stop studying in the 198 Bldg. third-floor study lounge.

If Frankel honestly wanted to know why Mr. Kenyon had been sanctioned, she could have listened to the extensive testimony offered by myself and countless others on the subject. Instead, she chose to watch Mr. Kenyon's sympathy-inspired poking efforts at his typewriter and closed her ears to the evidence.

Mr. Kenyon's sexual misconduct served as a major basis for disciplinary hearings. Surprisingly (or perhaps unsurprisingly), Ms. Frankel chose to ignore this important element of Mr. Kenyon's behavior during the last two years. I am at a loss in understanding how Ms. Frankel can make such an unsupported and patently untrue assertion as "if Kenyon is expelled, it is because of the weight and credit given to Hastings' position out of respect for the school." In fact, if Mr. Kenyon is expelled, it is because he has made life at Hastings for me and many other students and employees hell.

I just hope that if Ms. Frankel is ever the victim of sexual harassment, or any crime for that matter, that the authorities don't disregard her story as she has chosen to disregard mine.

Chris Ayayo
2nd Year



Guest Editorial Eliminate One-View School

By Jeff Jared
Second Year

At Hastings' Columbus Day protest, NALSA president Jason Carter called for schools to teach Native American culture and Muslim minister Christopher X criticized schools for their bias in defining "founding" fathers; Christians want Creationism, textbook wars abound, and the debates over health curriculum and Columbus rage on....

Educational content conflicts like these are inevitable in government public schools where only one official state version can be taught. The only way to stop these unending battles is via a separation of school and state.

If we didn't have the First Amendment and had only one official "public church system," every religion today would be fighting to have its version of religion be the one taught by the state. Yet this same thing is occurring today in American schools because we haven't also extended the First Amendment to education. There should be no "official" or "theology of thought," be it religious or educational.

This way Native Americans could run "Native American-centric" schools; Latinos, Latino-centric schools; feminists, female-centric schools; others, "all viewpoints" schools or anything else. Communities, families, and kids would control education, not the state.

This would create a real diversity of cultures making America a vigorously-tossed "mixed salad" rather than a culture-crushing, forcibly assimilating and homogenizing "melting pot." Such diversity is already happening today in Amish and Afro-centric schools.

We'd have literal "schools of thought" springing up about the oppressing and idea-stifling government hegemony in education

was lifted. Different schools would compete with each other for students and for the acceptance of their ideas. People would live their ideas rather than just argue about them.

Karl Marx elementary would compete with Adam Smith elementary; Humanist Jr. High with Virgin Mary Jr. High; Anarchy High with Government High; and everything in between.... and may the best school win.

But this free-market flowering of ideas can only occur if government gets out of education. Intellectual and cultural diversity is absent in our present watered-down, weak-kneed, morally-integrationist and value-compromising government schools where only one official, flag-waving version of education is taught.

Public schools only end up squashing diversity by spouting the propaganda of the most powerful group and brainwashing students into regurgitating it, rather than teaching them to think critically. Conformity reigns. A free society with a separation of school and state would end this monoculturalism and intellectually revitalize our failed school system.

School choice and vouchers, which are having success in cities like New York and Milwaukee, are a good step in this direction, but only a step. But with vouchers subject to the First Amendment criticism that tax money can't go to religious schools, it seems that in the end, in order to be truly consistent with the First Amendment, it is the government which must go.

Guest Editorials

The *Law News* invites all members of the Hastings community to contribute guest editorials.

Hastings students, faculty and staff interested in writing are urged to discuss their choice of topic with the Opinions Editor. The next publication deadline is Tuesday, January 26. Prospective writers should leave a message in the *Law News* box in the SIC office or call 565-4786.

Letters to the Editor

Letters are accepted from anyone, but they must be clearly marked as such and legibly handwritten or typed and double-spaced. We limit the space given to frequent contributors and lengthy letters to ensure that the forum is available to everyone; however, we cannot guarantee publication. We will not print letters that have appeared on the community comment board. Although we cannot print letters submitted without signatures, names will be withheld upon request if the circumstances warrant such action. Letters do not represent the opinions of the *Law News*, its staff, or Hastings College of the Law.

ASH Opinion

Board Should Boost PICAP, Reconsider JAG Corps Ban

By Babak Naficy

ASH Vice President

The Public Interest Career Assistance Program (PICAP) was created in 1988 to help Hastings graduates repay their student loans as long as they pursue careers in public service. While the creation of the program was encouraging, the program has remained seriously underfunded. The only funds currently available come from the interest generated by a \$160,000 restricted private endowment and a recently added \$300,000 endowment from On-Campus Interviews surplus funds. Given today's low interest rates and shrinking state and federal budgets, PICAP requires significantly more funding to be viable.

Last week ASH passed Resolution 92-16, urging the board of directors to direct the administration to actively raise funds for the program through a limited solicitation of the alumni. The proposed solicitation would target 1,000 alumni who have graduated from Hastings since 1975 and have never donated to the college. This limited solicitation would not require a great investment of college resources, but it would serve as an ideal barometer of alumni interest in this issue. ASH believes that if successful,

this type of solicitation should be repeated for many other alumni.

JAG Corps

The U.S. military's ban on gays and lesbians has long been of great concern to ASH. Hastings, however, has continued to permit JAG Corps, the military legal service, to conduct interviews on campus in violation of its own anti-discrimination policy, which expressly prohibits discrimination on the basis of sexual orientation. Last year ASH passed Resolution 91-6, urging Hastings to prohibit JAG Corps from recruiting on campus so long as the U.S. military continues to discriminate on the basis of sexual orientation. This resolution, while overwhelmingly supported by the faculty and the administration, was ultimately rejected by the board of directors. This year, ASH passed Resolution 92-15, urging the board to reconsider its previous decision and adopt Resolution 91-6, "thereby supporting equality, fairness and human dignity on this campus and in our society." In light of president-elect Clinton's pledge to end this discriminatory policy, this is the last chance for Hastings to join scores of other law schools in demonstrating a commitment to fairness and equality.

Panelists See Mixed Messages In Casey

By Joan Dawson

STAFF WRITER

The national division over abortion was reflected at Hastings in October, at the final Hastings Supreme Court Review of the year. The discussion covered the Supreme Court's most recent decision on abortion rights, *Planned Parenthood v. Casey*.

The panelists for the Oct. 28 review were Barbara Brenner, a local attorney specializing in civil rights litigation and a board member of the American Civil Liberties Union, and Phillip Johnson, a professor at UC Berkeley's Boalt Hall. The discussion was moderated by Hastings professor Joseph Grodin, a former California Supreme Court justice.

Brenner said the decision in *Planned Parenthood v. Casey* "bodes ill for reproductive freedom in the United States."

"A woman's right to decide whether to have an abortion is no

longer a fundamental right entitled to the strongest constitutional protection against government interference, and what is left of that right now clearly hangs by the thinnest of threads," she said.

Johnson believes the decision could be a sign the decision is returning to the days before *Roe v. Wade*, when abortion rights were governed by statutory law in the form of therapeutic abortion acts.

In *Planned Parenthood v. Casey*, handed down in June of this year, the Supreme Court reaffirmed a woman's basic constitutional right to an abortion before fetal viability and without undue interference from the state. But the Court also upheld most of the restrictions on abortion in the Pennsylvania Abortion Control Act.

The Court said a state can require a 24-hour waiting period for a pregnant woman seeking an abortion, so the can receive information on her options and give her "informed consent" to the

procedure. The Court also upheld a provision requiring minors to get the informed consent of a parent before an abortion; if parental consent is not possible, then judicial approval is necessary. And the Court said Pennsylvania can require facilities which provide abortion services to comply with certain reporting requirements.

The only provision in the Pennsylvania statute not upheld by the Court was the provision requiring a married woman seeking an abortion to obtain her husband's consent in advance.

During the Supreme Court Review, Brenner said, "The Casey decision is a lot like a magic show, where the magician asks the viewer to watch one hand while all the action is happening someplace else."

She said we are asked to look at the opening rhetoric of the unusual joint opinion, which makes "eloquent pronouncements about

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Police Brutality Hard to Punish

Speakers Deplore 'Code of Silence'

Continued from Page 3

the police.

White outlined the difficulties district attorneys have when they try to prosecute police officers, using the Rodney King case as an example. "I knew after the first month of jury selection that we weren't going to win at trial," White said. "Of the 260 potential jurors, there were only 27 people that we would have wanted on the jury, and the other side had 30 preemptory challenges." White pointed out that the judge's decision to grant a change of venue may have been flawed because White was never able to present an argument against a venue change in Ventura County. "I was ready to present demographic evidence that the population of Ventura County was only two percent African American," said White. The judge refused to hear the prosecution's argument. "And he would have been supported by case law," White added.

Crew gave a "big picture" perspective. "Police brutality is a result of the failure of political leadership to even recognize there is a problem," said Crew. "They just say that the riots in Los Angeles were an aberration and that it can't happen here." Crew gave examples of similar denials from San Francisco police officers, most notably in the case of Dolores Huerta, a 58-year-old protester who was seriously injured during a protest when she was jabbed with a police baton. Her spleen

was ruptured in the attack. Crew said the police "code of silence" operates in such cases. "The few brave ones who speak up about police conduct suffer reprisals," Crew said.

The second half of the panel was devoted to possible solutions to the problem. Darden, who spoke about criminal prosecution as a solution to the problem, pointed to statistical information about the few times police misconduct is reported, often because the only way to report the misconduct is through the police department itself. The district attorney only sees about five percent of the complaints that go through the police department, said Darden. "And most of those come to us through other means: personal letters, television programs and the like," Darden pointed out that it is extremely difficult to prosecute police officers due to several factors including the code of silence and the failure of complaint boards to pass on complaints to the D.A. "I didn't believe that we could win the King case," said Darden. "I knew about the police code of silence."

The beliefs that the population at large holds about police officers also makes it difficult to win cases against police officers, said Burns, who specializes in civil cases against police officers. Burns tried to bring most of his cases under the federal civil rights codes. "I want to have some impact on the command structure,"

said Burns. "Federal civil rights cases make the departments take notice," Burns added that real change in police conduct must come from inside departments.

Crew, who talked about legislative solutions, was not hopeful about any solutions coming soon. He said legislators have to look at the problem from two perspectives—how to make police departments accountable for their actions and how to take care of the problems that account for the increasing conflict between police and the rest of the population. "The police look at the roots of crime and say 'we can't take care of everything,'" said Crew. Crew accused both conservatives and liberals of pandering to law enforcement lobbies because they don't want to be seen as soft on crime. He spoke about the need for accountability from law enforcement officials to the community.

Saunders and Paterson looked toward solutions to the problem. Saunders reminded the audience members that they are the employers of the police and that they need to demand accountability and responsible actions. Paterson said the police have become an "occupying force in keepbacks in line." She said the new Clinton administration needs to set a moral tone and to discuss issues of racism openly.

Students interested in the forum can watch the videotape in the TV office.

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"From dialogue comes truth"

FEATURES

Alternative Forums

Things to do in the Bay Area

By Joyce M. Alcantara, Features Editor

Days of Wine and Roses

Oh, yes, the days have gone by oh, so quickly and the holidays are just around the corner. Thanksgiving presents the last opportunity for law students to procrastinate. After this holiday, we all have to start cranking and catching up with everything we have missed during the semester. One option is to take advantage of the wineries in Napa and Sonoma counties. But to make you feel a little better about indulging yourself this late in the game, how about taking a bike tour through the wine country with *GetAway Bicycles Tours*. They offer a variety of bicycle tour packages including a day tour through upper Napa wineries for \$69 which includes bike rentals, a gourmet lunch and a tour of two or three wineries and even a barrel-making establishment. For those less ambitious, they offer a half-day downhill tour through Mt. St. Helena for approximately \$40. They also offer other tours throughout these counties depending upon your hiking prowess. For more information, call (800) 499-2453.

Becoming One with Nature

For nature lovers, the Audubon Society has a Wildlife Sanctuary just over the Golden Gate Bridge in Tiburon. The sanctuary is comprised of 900 acres of tidal bay areas with 11 acres of walking trails surrounding it. At this time of year, masses of migrating fowl make their home here for the winter months. There is also a native California plant garden as well as open grassland, coastal habitats and beach areas open to the public. The sanctuary is open from Wednesday through Sunday from 9 a.m. - 5 p.m. On Sundays from 1 p.m. - 5 p.m., the Audubon Society offers a nature program at the Lyford House, which was constructed in 1876. Come and enjoy the simple beauty and grandeur of the Bay. For more information, call (415) 385-2524.

Movie Clips...

Spoke Lee has created a powerful and impressive piece of work with the film *Malcolm X*, the story of the controversial black nationalist leader slain in the prime of his life. Controversy has followed this film since its inception and continued when producers were angered when Lee went over budget during filming. Lee was forced to go to wealthy black investors to close the financial gap. In its final form, the film is well worth the extra millions. Lee begins the film with an incredibly powerful image of a burning American flag, interspersed with footage from the Rodney King beating. In a final crescendo, the burning flag then transforms into an "X."

I must admit that like many other Americans, I have very little knowledge about who Malcolm X was. As this film shows, his memory has been maligned and suppressed over the years. The only thing I ever told about him was that he was a militant black leader who advocated violence and hated all white people. After seeing this movie, it is clear that these were merely misperceptions fed to all of us over the years.

Malcolm Little, played with incredible brilliance and candor by Denzel Washington, was born in Omaha, Nebraska into a large family. Both his parents were strong figures. His father, a Baptist minister, believed in the teachings of Marcus Garvey, a prophet that the only way for African Americans to regain self respect was to return to Africa. This is obviously Malcolm's first exposure to what was, and is still believed to be, rather radical thinking. The film then chronicles Malcolm's difficult childhood—the beating and murder of his father, the Klansmen who repeatedly threatened them and burned their home, the social service agency that forcibly separated his brothers and sisters from his mother and ultimately, the tragic mental breakdown of his mother.

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Restaurant Review

Caribbean Fare A Religious Experience

By Jose Martinez
STAFF WRITER

CHA CHA CHA
1801 HAYES STREET
386-5758
PRICE RANGE FROM \$25.25
- \$10.25
NO CREDIT CARDS OR
RESERVATIONS AC-
CEPTED

Before I begin, I have a confession to make. I feel a bit silly writing about a restaurant that everybody I know has already eaten at. Still, I might as well share this experience with those of you who haven't.

had the pleasure. Cha Cha Cha's menu and daily specials are so unique and diverse that the restaurant deserves a second visit. To the local San Francisco Upper Haight resident, Cha Cha Cha is a mainstay for exotic and hearty dining. The restaurant takes traditional Cuban cuisine, adds the verve of Caribbean cooking and decorates it with the artistry of California cuisine. Its dishes are always colorful and never dull. Cha Cha Cha seizes tastes from different ends of the spectrum and combines them to make unique and palatable experiences.

The decor features colorful and religious pop art such as shrines of the Virgin Mary. The clientele ranges from the beat Lower Haight crowd to the hip Pacific Heights leather brat pack. Cha Cha Cha is the kind of place where people go to eat, drink, chat and hang out forever. The management doesn't mind and always provides fast and amiable service. A caveat: this type of atmosphere inevitably creates a crowd, and until Cha Cha Cha's recent expansion, the prerequisite wait was at least an hour and two hours at peak times. The expansion, which more than quadrupled the size of the restaurant, helps, but a wait is still certain at peak hours. However, don't let this discourage you. As a matter of fact, if you have some time, it's

not necessarily a bad idea just to hang out and people-watch in the small waiting area. Cha Cha Cha regulars are crazy about the Sangria (\$9.95/pitcher) and most just hang out, waiting and sipping Sangria.

Cha Cha Cha specializes in Cuban and Caribbean cuisine. Many of the dishes are served as tapas. For you gringos, a tapa is a serving, smaller in size than an entree, allowing one to try numerous plates. The tapas and entrees are always served with baguette-type breads, which are essential for soaking up the juices. The first tapa we ordered was shrimp sautéed in Cajun spices (\$6.50). The dish is true to its name. There is nothing fancy to it, yet it is a favorite of many diners. The best feature about this dish is the Cajun sauce. The creamy sauce bathes the shrimp in just the right amount of spice and makes a great dip for bread. We found ourselves moving the shrimp aside, trying to get to more bread in the sauce. We recommend ordering more bread at this point.

Next, we tried one of the daily specials: pan fried swordfish in a tangerine saffron and chili chipotle sauce (\$7.75). The dish is a work of art. Two sizzling

Cha Cha Cha's menu and daily specials are so unique and diverse that the restaurant deserves a second visit. There is food for virtually all tastes, such as skewered charbroiled beef and flavorful potatoes.

servings of thinly sliced swordfish are placed within the tangerine and chipotle sauce. (A chipotle is a mild red pepper originating in southern Mexico). The chipotle sauce is a great contrast to the citrus flavor of the tangerine sauce. The combination of citrus and chipotle is common to many Latin American dishes and I highly recommend it if you have never tried it.

Next, we ordered an entree. Possibly the most exotic plate on the menu is the pardo rojón

(\$10.25). It consists of fresh red snapper grilled in banana leaves, served with spicy rice, black beans, fried plantains and banana dressing. Bananas and fish? I was a bit hesitant. However, it is a very popular Caribbean combination. The banana dressing is served chilled, bold with flavor. As a topping for the fish, it gives you a sense of an exciting Caribbean night. The dish is also served with fried plantains. A plantain is a robust banana that grows in tropical environments, larger but less sweet than a regular banana. Fried plantains make a great side dish to accompany any meal. Served with the snapper and banana dressing, it is a hit. Finally, this plate is served with a very good spicy rice and a generous portion of black beans.

Tapas are somewhat deceiving. The servings are not very big and the total can add up if you are thinking with your stomach instead of your wallet. We were famished, so we ordered another dish. Our last dish was the chicken pallard with dijon mustard (\$6.50). The chicken is skewered, tender, and topped with the mustard sauce. This sauce, too, is also a great dip for bread.

The above mentioned dishes are only a few examples of the diverse variety of food served at Cha Cha Cha. While the menu is not very extensive, there are always four or five daily specials to choose from. I should note that there is food for virtually all tastes, such as skewered charbroiled beef and flavorful potatoes.

I highly recommend this Caribbean venue for its creative and delectable dishes and its unusual atmosphere. Cha Cha Cha is a pleasant culinary experience.

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Music

Dead Or Alive:
A Corpse in Stiletto HeelsBy Eric Tao
STAFF WRITER

Sunday night on Haigh Street, looking for trouble, one never knows what one will find...

Sunday night, the 5th of November, my friend who had been visiting me was leaving for Argentina at 6:00 the next morning. He demanded that we celebrate his leaving with the nocturnal denizens who prowled Sunday night streets. So we assembled the troops, a first time visitor to the U. S. from Bern, Switzerland, a transplanted N. Y. post-college-pre-gang-school fellow SF resident, my Argentina-behind friend, and myself. Heavily armed with mind-numbing liquids, we stumbled out into the night, billowing vaporous pungent clouds, in from our lips and out from our nostrils.

Walking around, we came upon The Quake, "San Francisco's Hottest New Night Club." Located on Belvedere and Haigh, it used to be the I-Beam,

a club that booked live acts much on the same level as Slim's. The hulking figure at the door emitted a rumble vaguely discernable as "twenty dollars and ID;" we said "Hal" and proceeded on our aimless street ramble. As it were, we were unable to move in any direction very quickly and thus able to hear someone from deep within the club tell the doorman to let us in "Free." Those were words that our team has been trained to act upon, and soon we found ourselves standing dazed by Boom Boom Techno Rock it Jam. Jam, ch-ch-ch-ham and the biggest goddamn mirror ball disco ever created. We were here, live, on the dance floor of The Quake, "San Francisco's Hottest New Night Club," and the show was just about to start.

Two men in Peifferesque Caratman outfits strutted on the stage with an American flag, turning around to reveal that the back of their outfits was a sheer see-through mesh. Soon a woman similarly dressed stalked onto the stage. Now the techno became deafening, and a tall, slim figure wearing a huge mask the size and shape of a condor, a long leather

coat and bright red stiletto heels glided to the center of the stage and seized the mike. Then it hit us. Our group embraced and in unison screamed with incomparable delight, "It's Dead or Alive, it's Dead or Alive!!!" The refrains were all along with you. "You spin me round round like a record baby round round round round!" and "All I need [something, something] is a brand new lover." Yes, yes, it was that long-haired, eye-patch sporting white-wielding androgynous MTV dude who traded air time with Duran Duran, New Order, and Boy George. The look was a little different now, opting for the Tina Turner haystack hair and doing away with the eye patch; still, my techno queen was exquisite as ever.

I started to take account of the crowd, and found a pitifully small turnout. There were only about 50 to 60 studs and leather-clad bodysuits types desperately writhing to the techno-glorious Dead or Alive. It was unmistakable that Dead or Alive was not pleased with the turnout. The dancers looked like 60-year-old low-impact aerobic instructors, and Mr. Dead or Alive

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The DUE microPROCESSOR

Underground Outlines On Disk

By Kevin Thomason
STAFF WRITER

Most of you probably know about the "underground outlines" that are available from the bookstore. These outlines are actual photocopies of real student outlines from past years. If you are lucky enough to find one that matches one of your classes, you must "check it out" and take it upstairs to have it copied. Then you rush home and try and figure out a way to incorporate it into the outline that YOU are making. If you are like me, and can't outline worth a damn, you basically end up copying most of it, verbatim, back into your own outline. If you are also like me in the respect that you can't type worth a damn, then this whole process can get pretty time consuming.

Well, I figured out a way around this problem. It's real simple. Just leave the underground outlines in their original form of computer files and let students copy them onto their own disks. That way, if you want to incorporate a certain outline's discus-

sion of a given topic into YOUR outline, you don't have to retype it. You just "cut and paste" from your electronic "copy" to your own outline.

In fact, the bookstore has been nice enough to go along with this idea, and does actually have some outlines on file in their original forms (i.e., DOS WordPerfect



files). To get one of these outlines (at no charge), simply take a blank (or almost blank) DOS-formatted disk into the bookstore and stick it into the Vics computer that is sitting next to all those Macs. In the Windows screen that should be running, you will see a number of icons that represent particular classes. When you select a class that you want, double click

on that class. Now you will see a number of icons that represent real live underground outlines. Find one that you want and double-click on it. It will open into WordPerfect for Windows. If the outline is what you are looking for, save it onto your disk. If it isn't, exit WordPerfect and choose another file. Note that even though these are Windows WordPerfect files, they are still 100% compatible with DOS WordPerfect files.

But suppose you have a Mac. Are you out of luck with these "IBM compatible" outlines? Absolutely not! The Macs that are located in the Computer Lab, on the sixth floor of the library, can actually read and write to and from IBM formatted disks. What this means is that you can take one of these underground outlines (or any document, for that matter) and open it onto a Mac. My memory is kind of fuzzy here, but I believe that both Word for Mac and WordPerfect for Mac will read DOS WordPerfect files, (although you will probably have to

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Alternative Forums

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Given this background, it is not hard to imagine why Malcolm turned to a life of crime as a two-bit hustler in the streets of Roxbury, Boston and Harlem. This is also where Lee takes the liberty of giving himself a part as Malcolm's friend, Shorty, his sometime hairdresser and co-conspirator. I actually found Lee's presence in the film rather distracting, an unnecessary interruption in the story. However, after one burglary too many, die two are arrested along with their white girlfriends on multiple counts, the two men sentenced to eight years compared to the women's two.

It is in prison that things begin to turn around for Malcolm. After an excruciating stay in solitary confinement for refusing to state his prison number, Malcolm meets Baines, played by Albert Hall, who introduces him to the teachings of Elijah Muhammad and the Nation of Islam. Baines is methodical in his education of Malcolm, who has to be cajoled at first into rejecting his previous way of life. But soon, Elijah Muhammad serves as Malcolm's driving force and strength as he finishes serving his prison term. Malcolm begins to realize the gross injustice of white society and the plight of the African American people. Malcolm renounces his surname, a name of a slave owner, and replaces it with "X." The fire has been sparked.

Rather than recount piecemeal the details of Malcolm's remaining days, I highly recommend seeing this film for yourself. This is an important part of history, part of the evolution of African American history. The film also makes you question the very fiber of American society. Why does racism continue to exist? Have we really gotten anywhere? I give credit to Lee for trying to give us a balanced view of Malcolm X. You do not come out of this film with a pure and simplistic view of black nationalism. There are aspects to his teachings which are incredible and contradictory. This film also exposes the internal conflict, the greed and power which eventually overcomes the Nation of Islam, leading to the untimely murder of Malcolm X. This film is also a different style for Lee, whose previous movies have been allegorical rather than biographical. Even if you do not agree with Malcolm X's (or Spike Lee's) politics, this film gives you a better understanding of the crusade he led and his mission to gain rights and self respect for African American people.

The Lover is a surprisingly deep and moving movie about a lonely young girl coming of age in Saigon during the late 1920s. The film adaptation of Marguerite Duras' autobiographical novel of the same name explores such taboos as the erotic affair between a young white girl and the son of a wealthy Chinese merchant and examines the racial and economic underpinnings of this relationship. Due to its provocative subject matter, much of the initial press written about this movie even before its opening focused on the lurid love scenes between the young girl played by the wondrous Jane March, who was 17 at the time the film was made, and the character of the Chinese man, played by Tony Leung. Admittedly, these love scenes are steamy and no holds were barred. However, it is important for the picture to center around the relationship which develops between the young girl and the Chinese man to explain their respective characters. Duras highlights the emptiness of these characters' lives by having the characters remain nameless. (They are known merely as the young girl, the Chinese man, the mother, etc.)

The story unfolds through the eyes of the young girl, who we understand to be Duras. It is 1929 when the young girl is 16 and living in the French colony of Indochina with her mother and two brothers. The young girl, however, is sent to a boarding school in Saigon while her mother and two brothers live in a small village across the Mekong River where the mother teaches. It is while crossing the muddy river after visiting her family that the young girl first meets the Chinese man amid the pomegranates, the chickens and pigs and the scorching heat of the far eastern sun. The contrast is stark between the splendor of their surroundings, and the young girl's threadbare and shapeless dress (in which the nameless nannies are prone to provoke) and the Chinese man's chauffeur's shiny black car and his fresh white linen suit. To highlight

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'Dead or Alive' Blotter

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was definitely Dead. After stripping down by the fifth song into red hot pants, a tight red tank with a feathered bustier peeking out from underneath, Dead or Alive declared in a royally bitchy fashion, "that's it...I've got bigger and better shows lined up than this!" Ooohh, a hush set upon the devoted worshippers as these sharp words painfully rained down like paddles on the many bare bottoms. The club promoters tried to get Dead or Alive to continue but only managed to initiate a "I don't bust my ass for anyone, especially for the likes of you...look, try and get your money back from the promoter, but that's it!" The dancers left the stage and Mr. Dead or Alive strutted around a bit, casting wicked glares while 20 anxious lighters were offered for his unlit cigarette. I would have burst out laughing if not for the genuine sorrow I felt for the few devoted fans who had shelled out 20 bones for the show. The fans mounted a feeble "more, more, more" chant that was, of course, futile.

The crowd milled about for a

bit, hoping maybe to get at least a refund when a Dom DeLuise-like voice over the P.A. announced, "Dead or Alive has taken the money and split...they're now over at the Savoy and leave Oakland Airport tomorrow on Southwest Air at 1:00. Let's go over to the Savoy right now and kick some butt!" I thought at first, bullshit; but on second thought, maybe Dead or Alive had become this desperate. Alas, the sad fate of the shooting star rock musician. I began to think back to my formative years spent in front of MTV drooling over Nina Black. What's happened to Naked Eyes, ABC, Boy George, The Thompson Twins, and Modern English? A sudden chill descended on the small crowd. Looking sheepishly at one another, here, all dressed up with nowhere to go; slowly, dejectedly they filed out. I was nearly in tears; not knowing if it was from mirth or sadness. We left and once again went to the street, now lit up by the flashing lights of police cars, and ventured on to our next adventure.

Continued from Page 4

Nov. 3, 5:40 p.m., Officer Santiago: "S.F. Library security requested assistance in dealing with a subject smoking crack near a group of children on the Fulton Street side of the library. Officer assisted in Spanish interpretation. Library security officer warned and released."

Nov. 9, 10:30 a.m., Officer Warner: "Employee reported that a desktop telephone was stolen from the academic dean's reception area. The value of the phone was \$460."

Nov. 9, 3:57 p.m., Officer Santiago: "Student reported that he parked his bicycle in the bike rack around 10:30 hrs. and returned around 15:50 hours to find the front wheel gone."

Nov. 9, 4:20 p.m., Officer Santiago: "The officer received complaints that a subject (BMA, 5'7", 140) had pushed several people on the patio, and that he was shouting for no reason. When the officer arrived, the subject left the property."

Nov. 10, 6:10 p.m., Officer Gonzalez: "Student reported he parked his motorcycle in front of 198 McAllister patio at the Hyde Street motorcycle and found his helmet missing. The helmet was a Uvex valued at \$200."

Nov. 11, 3:25 p.m., Officer

Santiago: "Officers responded to a report of four subjects fighting with knives on the patio. Upon arrival they found subjects in possession of knives and began detaining them. One subject fled into the building and was caught by officers. Several witnesses reported that one of the subject was armed with a gun in his waistband. The subjects and the area were searched with no gun being found. Subject with gun may have escaped. SFPD was called and responded ten minutes later."

Nov. 11, 8:35 p.m., Officer Feliciano: "A subject who had been armed with a gun escaped from the S.F. police and was chased onto the patio. Subject tried to enter the building, but found the doors locked. Subject was apprehended by S.F. police."

Nov. 16, 12:34 p.m., Officer

Hardy: "Officer found a 13" kitchen knife in the grating on the McAllister patio. Officer collected the knife for safekeeping."

Nov. 16, 6:12 p.m., Officer Norman: "Officer saw an unidentified NMA (non-affiliated male adult) entering the stairwell from the basement area. Subject said 'Oh Hello Hello.' Officer replied, 'Goodbye, goodbye.' Subject was followed out the Hyde Lobby door..."

Nov. 19, 2:46 p.m., Officer Katerhenry: "Student reported that Alfredo Limbo HMA (Hispanic male adult) again harassed her on the street. Limbo attempted to hit her with his wheelchair. Ongoing problem, college is investigating possible future course of action to prevent future harassment."

Supreme Court

Continued from Page 7

the significance of reproductive liberty and fidelity of precedent." At the same time, she said the body of the opinion "underscores reproductive freedom."

Brenner argued that the decision abandons the concept of abortion as a fundamental constitutional right. She said it gives states "a basis for new legal restrictions on access to abortion from conception."

The Court established a new test for judging abortion laws. Brenner said state laws restricting abortion will now be upheld if they are reasonable, unless they impose an undue burden on women seeking abortions. She emphasized that a state cannot enact a criminal abortion law and cannot delegate to a third person—such as a husband—a veto over a woman's choice to have an abortion. Other than that, she said, a state can build serious obstacles to a woman's right to an abortion.

Johnson said he does not believe the American people will view the Court's decision so harshly. He cited a nationwide poll conducted by the *Los Angeles Times* in 1989, which found that "most Americans personally consider abortion to be immoral, murder in fact, but they also deeply believe that each woman should be allowed to decide for herself whether to have an abortion."

"Morally, the vast majority of the American people support in principle the approach taken by the therapeutic abortion acts and

not the unqualified right to abortion on demand—encoded in *Roe v. Wade*," Johnson said. He said the therapeutic abortion acts had bipartisan support and "they were not met with anything like the cultural civil war that we've got today."

In the future, Johnson believes there will be more agreement than disagreement on the abortion issue. He said, "You cannot satisfy the Operation Rescue people with anything less than a complete prohibition of abortion, and I don't think you can satisfy the ACLU with anything but a total approval, but at least two-thirds or probably three-quarters of the American public are willing to agree on a middle position."

Brenner does not agree the abortion issue will be decided so easily. She expects a bill to be introduced in the California legislature in the next session to require, for the first time, a mandatory waiting period before an abortion can be performed in this state. She sees other legislatures moving to implement similar restrictions. She said, "The new constitutional balance struck by Casey will in fact likely exacerbate the divisiveness on abortion because, by granting government new authority to restrict access, the decision launches newly intensified battles in each of the state legislatures."

Both Brenner and Johnson agreed it is not likely that we have heard the last word from the U.S. Supreme court on abortion.

DUE MicroPROCESSor On Outlines

Continued from Page 9

let them know to look for all file types in their "File Open" menu). Once you have opened the DOS document, all you need to do is to save it on a Mac disk in the correct format for your word processor.

P.S. — once we get it com-

pletely up to speed, the Hastings BBS will also have a number of student outlines. If you have any past outlines that you would like to contribute to the Hastings BBS, use your phone modem and give us a call at 565-4756.



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Movies: 'Dracula' as a Story of Lost Love

Continued from Page 9

the emptiness of the characters' lives. Durn chose not to give them any names.

And as we expect, they meet, they flirt and they begin their love affair, at first surreptitiously, fully aware that the prying eyes of others will not approve.

But ironically, it seems to be the young girl who calls the shots here. It is quickly revealed that the rich Chinese man is weak. As the young girl soon finds out, "It is his wealth that makes him weak." The Chinese man cannot free himself from the binding restrictions of traditional Chinese families. As he admits, "I am nothing without my father's wealth." In fact, the girl finds that the only thing he does know how to do is to give and take love. However, this is merely an other weakness to the young girl who is used in a hard life of loneliness and struggle and is therefore less willing to show any vulnerability. The man unfortunately falls in love with her, while she says that she is merely in it for the money.

We also get a glimpse of the young girl's family, which reinforces our empathy for her. Her mother does out a subsistence living teaching at a modest school. Her abusive and tyrannical older brother steals from the mother to feed his heavy opium habit. Her overprotective younger brother, who can be brought to tears at a drop of a hat, is no match for the older brother. The mother is a tired, spent woman, who inexplicably favors the older brother over the other children. March plays her character as callous and calculating. She is a siren with an angel's

face. However, her tough facade melts away in the end.

This film highlights that most American films are devoid of any Asian leads. Tony Leung does a wonderful job playing the deeply sensitive, confused and uncertain Chinese man. It also highlights the double standard of discrimination. It is obvious that the young girl and her family do not think that the Chinese man is worthy of their respect, but they have no qualms in taking his money. In fact, even the young girl admits that she does not like the Chinese but she somehow dissociates their feelings from the fact that she is sleeping with one. The film serves as a period piece, giving you a sense of what Vietnam was like in the 1920s. (After all, most of the movies about that area are about the Vietnam War.) It also gives us a glimpse of the modest beginnings of a great writer, that these experiences serve as fodder for a future novel.

After seeing the trailer for this movie, I waited in excited anticipation for the opening of *Bram Stoker's Dracula*. It was so hyped that I had really high expectations, given the director (Francis Ford Coppola) and its young and dynamic cast. Unfortunately, it did not live up to my expectations. All the elements are there for a great movie but they somehow never fit together properly. I am sure we are all aware of the legend of the blood-sucking Transylvanian count. However, Coppola puts a twist on the story by presenting it as the sad story of a lost love. The film introduces us to the 15th-century Count Dracula who valiantly fights to protect his lands in the name of

Christianism. However, he has left his young bride Elisabetha as the castle with no protection. After winning the war, Count Dracula returns home only to find that Elisabetha has fled herself from the castle's ramparts believing that the Count had died in battle. Debraught with grief, the Count vows to renounce goodness and pursue evil. This initial segue is actually pretty good, told in a fairy tale tone with tell backdrops and sets.

But the story only gets more ambitious and complicated as it goes along. It is now 1897 and



Jonathan Harker, played by Keanu Reeves, is sent from London to meet with an eccentric Count in Transylvania to sell some land. On Jonathan's journey, we see some gifted artistry and special effects from the long and arduous train ride through treacherous mountains to the set for the Count's creepy castle. Once there however, it is evident that something is amiss with the Count. After catching a glimpse of Jonathan's betrothed, the Count is mesmerized by the uncanny resemblance she bears to his long dead wife and decides to head back to London and hold Jonathan captive in the castle.

Meanwhile, the pure and innoc-

cent Mina/Elisabetha, played by Winona Ryder, is waiting anxiously for Jonathan's return at her friend Lucy's house. So the Count picks a few crates with precious Transylvanian soil (this is, of course, where, the undead sleep during the day) and ships them off to London. Poor Jonathan, meanwhile, has had a rough time of it. While prowling through the Count's castle, he discovers Dracula's brides, who lure him into bed. Classic male fantasy here. Surrounded by three buxom and barely clad brides, Jonathan is weak from his blood being sucked. Actually, I guess that bloodsucking is also an erotic act, since sex is part of it too. One interesting scene involves the Count, who has transformed himself into a wolf/monster, luring the virgin bride Lucy into the garden. There, Lucy offers herself to him whereupon the monster climbs on top of her and the two proceed to copulate with great fervor. (Lucy does a lot of moaning throughout this movie).

Anyway, not to give too much of it away, let me just point out some of the movie's brighter moments. Anthony Hopkins provides some comic relief as the flamboyant vampire expert Dr. Van Helsing. Singer Tom Waits has a substantial role as the crazy businessman/blood victim incarcerated in an disgusting insane asylum. Gary Oldman gives a respectable performance as the doomed and lonely Count. The main downfall of this movie is that there were just too many gaps left by the screenplay for us to care about these characters. I left the movie with more questions than answers about the infamous Count Dracula.

West Block

Continued from Page 1

on the project. Levine invited BPT, and in September the company expressed interest in talking to Hastings. Levine said he also contacted another prestigious company, but they were not interested in entering into negotiations with Hastings.

As "pre-developer," BPT will have to work with Hastings, student groups and community groups. BPT has not yet met with the ASH West Block Committee, but company representatives spoke with members of Save the Tenderloin As Residential Today (START) on Nov. 18. Marcia Rosen, the attorney representing START, said, "We appreciated their openness... but it is too early to really be optimistic." BPT will be working for Hastings, and it will be up to Hastings to set the parameters in terms of the development of the West Block."

The ASH West Block committee is also preparing for the changes. Student member Rob Rich said the committee is planning a West Block forum for February. The committee has drafted letters to Hastings board members with the hope that one of them will participate in the panel discussion. "The panel will give the board members the opportunity to hear various views and to add something to the discussion," said Rich.

Dan Saifer, another committee member, said Hastings has hired a private consulting company, MPC, to put together a survey on student housing. The ASH committee recommended adding several questions to the survey in an attempt to get some student opinion regarding the appropriate use for the property. "The committee needs more students, and we are actively recruiting new members," said Saifer.

Except for proposed student housing, no one is sure what will finally appear on the West Block property. One possibility that John Spraul, chair of the Hastings board, raised at the Nov. 3 meeting was a courthouse. Neither Levine nor Bodrug would give a definite answer when asked whether Hastings' plans still included a courthouse. Hastings may lose its chance at such a project if the court approves a competing courthouse proposal for the building that houses Stars restaurant.

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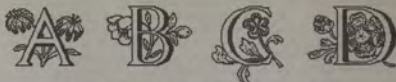
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**Hastings Law News
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Anybody Else: Anyone with any kind of interest in writing, corresponding, creating, describing, penning, recording, representing, remarking, opining, or anything like that, please contact us. We need you!